

AG Contract No. KR03-0153TRN  
ADOT ECS File No. JPA 02-201  
TRACS No.: P6000 12P  
Project: Small Area Transportation Study  
Section: Kingman City Limits  
(R 16-17W and T21-22N)

## INTERGOVERNMENTAL AGREEMENT

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF KINGMAN

THIS AGREEMENT is entered into February 11th, 2003, pursuant to Arizona Revised Statutes, Sections 11-951 through ~~11-953~~ 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF KINGMAN, acting by and through its MAYOR and CITY COUNCIL, (the "City").

### I. RECITALS

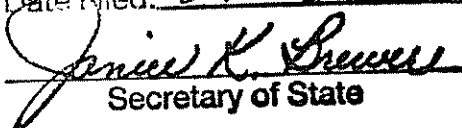
1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. The State and the City desire to jointly participate in selecting and hiring a consultant to conduct a Kingman Area Transportation Study, all in accordance with the Scope, attached hereto and made a part hereof as Exhibit A, at an estimated cost of \$120,000.00, hereinafter referred to as the "Project".

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

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NO. 25796  
Filed with the Secretary of State  
Date Filed: 2-11-03  
  
Secretary of State  
By: L. Bayin

**II. SCOPE OF WORK**

## 1. The State will:

a. Using State approved procurement procedures, participate with the City in the selection of a professional engineering transportation planning consultant to accomplish the Project.

b. Review the Project progress reports and submittals and provide comments to the City or the consultant as appropriate. Review and approve the final report prior to the City's final payment to the consultant.

c. Contribute an amount not to exceed \$96,000.00 to the Project. Be responsible for any consultant claims for extra compensation attributable to the State.

d. No more often than monthly, reimburse the City on a reimbursement basis, in a total amount not to exceed \$96,000.00, within 30 days after receipt and approval of invoices.

## 2. The City will:

a. Using State approved procurement procedures, advertise for, and with the concurrence of the State, select and hire a professional transportation-planning consultant to accomplish the Project. Be the lead agency for the Project. Strictly comply with all state and federal procurement laws, rules and procedures.

b. Provide the State timely copies of Project progress reports and submittals, and insure the incorporation of State review comments. Provide the State a copy of the final report, and obtain the State's approval prior to making final payment to the consultant. Accept the final report on behalf of the parties hereto.

c. Be responsible for all Project costs over and above the State's maximum share of \$96,000.00, and cash match in the amount of \$24,000.00, and for any consultant claims for extra compensation, attributable to the City.

d. No more often than monthly, invoice ADOT, in the form of Exhibit B attached and made a part of hereof, supported by narrative reports and an accounting of monthly expenditures, including a detailed listing of match documentation, associated with the project, to the Project Manager for ADOT, as noted in III.6 below.

**III. MISCELLANEOUS PROVISIONS**

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the advertisement of a Project consultant contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy, which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

For Contract Issues

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007  
FAX: 602-712-7424

City of Kingman  
City Manager  
310 N. Fourth Street  
Kingman, AZ 86401  
FAX: 928-753-6867

For Project Issues

Arizona Department of Transportation  
Transportation Planning Division  
206 South 17 Avenue, Mail Drop B310  
Phoenix, AZ 85007  
FAX: 602-712-3046

City of Kingman  
Community Development Department  
310 N. Fourth Street  
Kingman, AZ 86401  
FAX: 928-753-8118

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

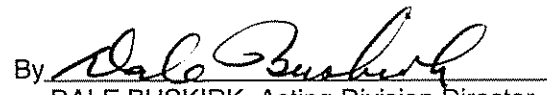
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**CITY OF KINGMAN**

By   
LESTER BYRAM  
Mayor

**STATE OF ARIZONA**

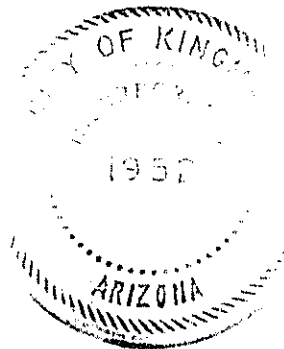
Department of Transportation

By   
DALE BUSKIRK, Acting Division Director  
Transportation Planning Division

ATTEST

By   
CHARLENE WARE  
City Clerk

G:02-201-TPD-Kingman-Small Area Study  
27Jan2003-lg



## **EXHIBIT A**

### **CITY OF KINGMAN, ARIZONA**

#### **SMALL AREA TRANSPORTATION STUDY**

##### **I. OVERVIEW**

The City of Kingman and the Arizona Department of Transportation have formed a partnership to conduct a Small Area Transportation Study for Kingman and its environs. The study area will include the corporate limits of Kingman and the neighboring unincorporated portions of Mohave County (see Exhibit 1).

The principal focus of the proposed study is to update the 1997 Kingman Area Transportation Study (KATS). Significant population growth and economic development in the Kingman area requires new comprehensive transportation planning to address growing demands placed on Kingman's roadways.

The major products of the study will be a five-year plan for improvements, a ten-year program of projects, and a long-range transportation plan. The consultant contract shall not exceed \$120,000.

##### **II. ADMINISTRATION**

The City of Kingman will take the lead for administration of this study project. An established Technical Advisory Committee (TAC) will closely coordinate the study with the project consultant. The following agencies are represented on the TAC:

T	City of Kingman
T	Mohave County
T	Western Arizona Council of Governments
T	Arizona Department of Transportation

A minimum of two meetings will be held with the TAC and consultant. The TAC will review and provide comments on the products of the study. Reasonable comments and requests by the TAC and Project Manager will be incorporated into the final report.

##### **III. SCOPE OF WORK**

The results of the work tasks comprising the project will be presented in working papers to be circulated to the TAC for review and comment. Work tasks will be addressed by the TAC at regularly scheduled meetings. The work tasks will include:

- 1. Refine The Work Plan** - To insure that the consultant and the TAC are in accord

regarding the scope of study, the first task will be to present a detailed work plan and project schedule to the TAC for review and comment. This task will include presentation of a map showing the study area boundaries and all major roads, streets, and intersections to be addressed in the study. The consultant shall refine the preliminary definition of the study area presented in Exhibit 1. TAC approval of the work plan, project schedule and study area definition is necessary to proceed with the project.

**2. Inventory of Current Conditions** - Necessary background information will be collected and presented to the TAC on current land use patterns, travel behavior, and road and street conditions:

- a. Current land use patterns will be documented and analyzed with attention focused on such key transportation demand variables as population, employment, and special traffic generators.
- b. Travel behavior and demand will be documented and estimated. The micro-computer modeling program TRANPLAN is to be used. **A new model will have to be created.**
- c. The consultant will need to interview City and County officials to obtain information describing existing street conditions.
- d. Information collected should include: jurisdictional responsibility, functional classification, right-of-way width, and roadway width, number of lanes, pavement type and condition, curb/sidewalks, capacity, level of service, traffic control devices, flood protection, drainage, maintenance levels, and accident rates.
- e. The City of Kingman, Mohave County, Western Arizona Council of Governments, and Arizona Department of Transportation will provide, as appropriate, readily available information germane to this study.
- f. Review the current FHWA Functional Classification Routes map, and recommend modifications based upon current conditions and future needs.
- g. The consultant is responsible for traffic counts. The following roadways have been identified for traffic counts to help build the traffic model:

West Beale Street (U.S. 93) - between I-40 and the City Limits

Beale Street - between I-40 and Andy Devine Avenue connection

Andy Devine Avenue - between I-40 E. T.I. and Grandview Avenue.

Hualapai Mountain Rd. - between Andy Devine Ave. and Seneca St.

Louise Avenue - between Andy Devine Ave. and Sage St.  
Southern Avenue - between Eastern St. and Mustang Springs Rd.  
Eastern Street - between Hualapai Mountain Rd. and I-40  
Railroad Street - between Hualapai Mountain Road and Louise Ave.  
Airway Avenue - between Eastern Street and Prospector St.  
Seneca Street - between Hualapai Mountain Road and Southern Ave.  
Jackson Street - between Hualapai Mountain Rd. and Louise Ave.  
Monroe Street - between Hualapai Mountain Rd. and Louise Ave.  
Stockton Hill Road - between Andy Devine Ave. and Camelback Blvd.  
Fairgrounds Blvd. - between Andy Devine Ave. and I-40  
Harrison Street - between Andy Devine Ave. and Airway Ave.  
Western Avenue - between Gates Ave. and Detroit Ave.  
Western Avenue - between Beverly Ave. and Gordon Drive  
Main Street - between Johnston Ave. and Detroit Ave.  
Detroit Avenue - between Western Ave. and Fairgrounds Blvd.  
Detroit Avenue - between Harrison Street and Andy Devine Avenue.  
Motor Avenue - between Stockton Hill Rd. and Harrison St.  
Gates Avenue - between Stockton Hill Rd. and Western Ave.  
Club Avenue - between Western Ave. and Harrison St.  
Beverly Avenue - between Western Ave. and Andy Devine Avenue.  
Airway Avenue - between Western Ave. and Andy Devine Ave.  
Gordon Drive - between Western Ave. and Andy Devine Ave.  
Northern Avenue - between Stockton Hill Road and Patsy Drive  
Jagerson Avenue - between Stockton Hill Road and Marshall Drive  
Thompson Avenue - between Marshall Drive and Andy Devine Ave.  
Willow Drive - between Airway Ave. and Northern Ave.  
Bank Street - between Airway Ave. and Jagerson Ave.  
Kino Drive - between Western Ave. and Sunshine Drive  
Burbank Street - between Beverly and Morrow Ave.

*The following intersections have been identified for turning movement analysis:*

The Interstate 40 Off/On Ramps

Stockton Hill Road and Jagerson Avenue  
 College Drive  
 Northern Avenue  
 Gordon Drive  
 Kino Avenue  
 Airway Avenue  
 Sycamore Avenue  
 Hospital/Wal-Mart Signal

	Beverly Avenue
	Detroit Avenue
	Club Avenue
	Andy Devine Avenue
	Stockton Hill/Hualapai Mt. Roads
	Johnston Avenue
	Harrison Street
	Louise Avenue
	Airfield Avenue
	Detroit Avenue
	Thompson Avenue
	Harrison Street and
	Beverly Avenue
	Airway Avenue
	Motor Avenue
Willow Drive and	Kino Avenue
	Gordon Drive
	Northern Avenue
Bank Street and	Airway Avenue
	Gordon Drive
	Northern Avenue
	Thompson Avenue
	Jagerson Avenue
Castle Rock Road and	Northern Avenue
	Thompson Avenue
	Gordon Drive
Louise Avenue and	Railroad Street
	Eastern Street
Hualapai Mountain Rd. and	Railroad Street
	Eastern Street
	Seneca Street
Southern Avenue and	Eastern Street
	Seneca Street

3. **Future Conditions** - Future conditions and infrastructure requirements will be forecast for the years 2008, 2013, and 2023. In order to forecast travel demand, future land use patterns will need to be projected. Both the City and County are currently in the process of updating their General Plans. While the final adoption and voter approval of these plans will not be complete, information in these draft plans can be used for the purposes of this study. Employment and population projections are also to be factored in.

Land use projections will be translated into travel demands, and potential problem areas will be identified. Suggested improvement actions will be identified; and cost estimates and time schedules developed. Finance alternatives necessary to implement the short, middle, and long range plans are to be identified.

The above listed information, along with input from local leaders, will enable the consultant to document future transportation conditions, infrastructure requirements, and transportation issues in the study.

**4. Special Topics** - Particular emphasis is to be directed toward the identification and implementation of appropriate solutions for problems in the following areas:

a. Alternative and/or improved access to the east side of the railroad tracks

- Design Concept Analysis of a grade separated crossing in the Louise Avenue/Harrison Street vicinity; Timing for the Parkway/I-40 Interchange.

- Possible development of I-40 frontage roads on both sides of I-40 from Eastern Street to the east (possibly to the DW Ranch Road/I-40 T.I.

- Evaluate and identify both an east/west and north/south transportation grid for collectors and arterials along with right-of-way widths, taking into account future grade separated crossings of I-40 and BNSF railroad. For example, would the construction of Central Street between Southern Avenue and Hualapai Mountain Road, or the Seneca/Sage Street, Yavapai Drive and/or Cherokee Street alignment between Hualapai Mountain Road and Airway Avenue to provide better traffic circulation, relieving traffic on Louise Avenue.

- Evaluate the benefit of developing Castle Rock Road north of Airway Avenue to tie into the Frontage Road (Industrial Boulevard) parallel to the BNSF railroad on the Airport property.

- Evaluate the option of making Louise and Simms Avenues, One-Way between Railroad Street and Eastern Street, to relieve congestion on Louise Avenue.

- *Identify the route alignment for Parkway Boulevard, through the Airport Property, and from Southern Avenue south to the Hualapai Mountain Road.*

b. Design Concept Analysis of a grade separated crossing on Topeka Street at South 7<sup>th</sup> Street.



- c. The Stockton Hill Road and I-40 T.I. area is of specific concern. The area of concern is bounded by I-40 on the south, Western Avenue on the west, Airway Avenue on the north, and Harrison Street on the east, encompassing the Kingman Regional Medical Center, the Wal-Mart/Albertson shopping center, the Smith's Food and Drug center and the Centennial Park/Kingman Academy of Learning campuses. The area needs to be evaluated in terms of traffic circulation and possible improvements. This should include a Design Concept Analysis of the Stockton Hill Road/I-40 TI to be converted to an Urban TI, whether or not as part of that reconfiguration a grade separated crossing of I-40 and Western Avenue and/or Fairgrounds Boulevard are feasible, and whether signalization improvements are feasible.
- d. Evaluation of a U.S. 93 bypass. The 1996 U.S. 93 Multi-Modal Corridor Profile report prepared by Gannett Fleming for ADOT identified the portion of U.S. 93 within the City limits experiences congestion which is only expected to get worse over time. In addition, the pavement in this area was identified as being moderate condition and there is a high accident frequency. This is a commercial area that supports numerous automobile and truck facilities, restaurants, and other local and tourist oriented businesses. With U.S. 93 designated as a NFTA corridor, additional truck traffic is anticipated.
- e. Traffic relief impact for Stockton Hill Road, should an alternative route be developed to the downtown area, such as the extension of Airway or Sycamore to the west as identified in the 1997 KATS.
- f. Traffic relief impact for Stockton Hill Road, should N. Glen Road be developed between Sycamore Avenue and Gordon Drive.
- g. Congestion, safety and circulation issues along major arterial and collector streets throughout the study area.
- h. Access control measures including traffic controls, center medians, restricted turning movements, etc.
- i. Review of traffic signal inventory (type & age of equipment, existence of detectors, protected movements, pre-emption capability) and identify recommended improvements to the signals.
- j. Traffic Signal Warrant at Andy Devine and Harrison and Andy Devine and Louise intersections.
- k. Traffic Signal Left Turn Warrants at Stockton Hill Road and Northern,

Stockton Hill Road and Airway, and Stockton Hill Road and Kino.

5. **Alternative Action** - Alternative actions to meet short, medium and long range needs will be developed. A list of specific projects to address current problems and short term needs in the next five years will be developed. These projects will be prioritized and linked with financial options.

Medium and long-range alternatives will include, but not be limited to: right-of-way acquisitions, new facilities, road widening, and traffic control measures.

Alternative short and long-range options will be evaluated by a set of criteria which will include funding prospects, construction costs, and public development goals, and private development responsibilities, levels of service, accident rates, environmental issues, and community support.

6. **Public Input** - Public input will be solicited and documented. This will include interviews with City and County elected officials, representatives of the business community, and public forums (a kick off forum following the refinement of the scope of work, one at the completion of working paper number 1, one at the completion working paper number 2, and one at the completion of the Draft study.
7. **Title VI Concerns** - On February 11, 1994 President Clinton issued Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations. This Order establishes environmental justice as a federal government priority. This study will address environmental justice issues in the following manner.
  - a. The transportation improvement projects recommended in this study may differentially affect the City of Kingman workers and residents. This study will examine the effects these projects are likely to have on minority populations. Census information provides readily available information describing the population living within geographic regions affected by proposed transportation improvements. This census information enables graphic representation of minority and low-income populations in the study area.
  - b. Identify and discuss environmental justice issues and concerns that bear on this transportation study. Discuss how the recommended projects will potentially affect minority populations. Describe the likely effects, both positive and negative, and the magnitude of these effects. Should any of the projects place a disproportionate burden on minority or low-income

populations, explanation of the considerations that dictated this recommendation over alternative actions will be provided.

- c. Make a concerted effort to reach minority and low-income populations when conducting the study's three public meetings.
- d. Document the study's public participation process, including efforts to address environmental justice issues and concerns.

**8. Study Products** - The project consultant shall provide the following (anticipated - can be modified based on the selected consultants work proposal/schedule)

a. Technical Memo No. 1 presenting:

- T The study area boundary (approved by the TAC)
- T A detailed scope of work (for review and approval by the TAC)
- T The project schedule

b. Working Paper No. 1 documenting existing conditions in the study area, including, accident history, traffic counts, turning movements, functional classification, intersection traffic controls, and LOS

c. Development of a Transportation Model using TRANPLAN

d. Working Paper No. 2 describing future conditions in the forecast years (2008, 2013, 2023)

e. Draft Kingman Area Transportation Plan

- T Fifteen (15) copies of the Draft Kingman Area Transportation Plan for distribution to the TAC to review and comment

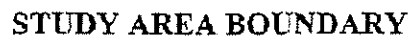
f. Final Kingman Area Transportation Plan

- T Fifty (75) bound copies of the Final Kingman Area Transportation Plan. Five of the 50 copies should be delivered to the ADOT Planner serving on the TAC.
- T One Hundred (100) bound copies of the Kingman Area Transportation Plan Executive Summary. Five of the 100 copies should be delivered to the ADOT Planner serving on the TAC.
- T Two (2) reproducible copies of the final study and executive summary.
- T Three (3) copies of the final study and executive summary each on

CD-Rom. One of the three copies for each should be delivered to the ADOT Planner serving on the TAC.

- T Two (2) copies of the Transportation Model developed for this study. The consultant shall load the agreed upon computer transportation modeling databases onto a PC as designated by the City and provide a minimum of 24 hours of training on the modeling program data use.

All final study documents shall be prepared using Microsoft Office 2000 (MS Word for word processing and MS Excel for spreadsheets).



APPROVAL OF THE CITY OF KINGMAN ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and CITY OF KINGMAN, declare this agreement to in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 5<sup>th</sup> day of February, 2003.

Robert A. T. Taylor

Attorney

I, Charlene Ware, City Clerk of the City of Kingman, certify that the following is a true and accurate copy of Resolution No. 3818 passed and adopted by the Kingman Common Council at their meeting on February 3, 2003. The original of Resolution No. 3818 is a permanent city record on file in my office.

Given under my hand and seal on January 9, 2003.

Charlene Ware  
Charlene Ware

**CITY OF KINGMAN, ARIZONA  
RESOLUTION NO. 3818**

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA, AUTHORIZING THE MAYOR TO SIGN THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF ARIZONA AND THE CITY OF KINGMAN, IDENTIFIED AS AG CONTRACT NO. KR03-0153TRN, ADOT ECS FILE NO. JPA-02-201, TRACS NO. P6000-12P FOR THE KINGMAN AREA TRANSPORTATION STUDY

WHEREAS, the City of Kingman has requested the State of Arizona, through its Department of Transportation, to participate in the funding and completion of updating the Kingman Area Transportation Study, which has been estimated to cost approximately \$120,000.00, and

WHEREAS, the State has agreed to participate in the funding and completion of the Kingman Area Transportation Study update, in the amount not to exceed \$96,000.00, and

WHEREAS, the local match estimate of \$24,000.00 will be paid by the City of Kingman, and

WHEREAS, in order to proceed with the consultant selection and study completion, it is necessary for the City of Kingman to enter into an Intergovernmental Agreement with the State of Arizona.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council that it is beneficial for the City to enter into the Intergovernmental Agreement with the State of Arizona in order to receive State funding for this transportation study update, and that the Mayor is hereby authorized to sign the Intergovernmental Agreement on behalf of the City of Kingman.

PASSED AND ADOPTED this 3rd day of February, 2003, by the Mayor and Common Council of the City of Kingman, Arizona.

APPROVED:

Lester Byram  
LESTER BYRAM, Mayor

ATTEST:

Charlene Ware  
Charlene Ware, City Clerk

APPROVED AS TO FORM:

Robert Taylor  
Robert Taylor, City Attorney





OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

TERRY GODDARD  
ATTORNEY GENERAL

CIVIL DIVISION  
TRANSPORTATION SECTION  
WRITER'S DIRECT LINE 602.542.8855

INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A.G. Contract No. KR03-0153TRN (JPA 02-201), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED February 11, 2003.

TERRY GODDARD  
Attorney General

A handwritten signature in cursive script, reading "Susan Davis", written in dark ink.

SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

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